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Office of the Secretary



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July 25, 2007

ORIGINAL

Ex Parte

Ms. Marlene Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street S.W., Room TWB-204  
Washington, D.C. 20554

Re: WCB/Pricing Docket No. 07-10, July 1, 2007 Annual Access Charge Filings

Dear Ms. Dortch

Verizon supports Windstream's July 17, 2007 request to have its access tariff removed from the list of tariff filings that the Commission is currently investigating in connection with traffic pumping. Windstream has publicly opposed traffic pumping and has been supportive of the Commission's efforts to eliminate this practice.<sup>1</sup> Moreover, Verizon is unaware of any evidence or allegation that Windstream was or is engaged in traffic pumping. Indeed, Windstream and its predecessors or affiliates have been exiting the NECA pool since 1993 without evidence of engaging in traffic pumping and without attempting to re-enter the NECA pool to camouflage their demand.

AT&T correctly notes that the fact that the rates in Windstream's latest annual tariff filing are lower than those in NECA's 2007 annual tariff filing would not, standing alone, warrant relief from investigation.<sup>2</sup> However, given Windstream's past advocacy against traffic pumping and its behavior after exiting the NECA pool in the past, the evidence fails to support investigating Windstream for potential traffic pumping.

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<sup>1</sup> See Letter from E. Einhorn (Windstream), T. Boaldin, A. Hayes, G. Gilmer, D. Zesiger, and M. Rubin to Chairman Martin and Commissioners Copps, Adelstein, Tate, and McDowell (April 30, 2007).

<sup>2</sup> See Letter from H. Hultquist (AT&T) to Marlene Dortch, WCB/Pricing Docket No. 07-10 (July 23, 2007).

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Please do not hesitate to contact me at 202.515.2527 with any questions.

Sincerely,



Donna Epps

cc: Tom Navin  
Don Stockdale  
Al Lewis  
Deena Shetler  
Pam Arluk